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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Montgomery *et al.*

Examiner: Unassigned

DEC 0 2000

Serial No.: 09/651,170

Group Art Unit: Unassigned

TECH CENTER 1600/2900

Filed: August 30, 2000

Docket: 12080-4

For: LIGHT ACTIVATED TOOTH  
WHITENING COMPOSITION  
AND METHOD OF USING SAME

Certificate of Mailing Under 37.C.F.R. 1.8

I hereby declare that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C.

Date 11/20/00 Name J. Colwell 20231

Kalow & Springut LLP.  
488 Madison Avenue, 19th Floor  
New York, New York 10022

November 20, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231

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INFORMATION DISCLOSURE STATEMENT

Sir:

In order to fulfill the requirements of candor and good faith set forth in 37 CFR § 1.56,  
Applicants submit herewith the following disclosures in accordance with the provisions of  
37CFR § 1.97 and § 1.98.

I. U.S. PATENT DOCUMENTS

<u>PATENT NO.</u>	<u>TITLE</u>	<u>ISSUE DATE</u>
4,661,070 to Friedman	Method For Bleaching Discolored Teeth	Apr. 28, 1987
4,837,008 to Rudy et al.	Periodontal Composition And Method	Jun. 6, 1989

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<u>PATENT NO.</u>	<u>TITLE</u>	<u>ISSUE DATE</u>
4,976,955 to Libin	Oral Hygiene Composition	Dec. 11, 1990
4,983,380 to Yarborough	Composition For Treatment Of Teeth And Method Of Use	Jan. 8, 1991
4,983,381 to Torres Zaragoza	Method And Device For Producing The Whitening Of Live Teeth With Pathological And Normal Colorations	Jan. 8, 1991
RE. 34,196 to Munro	Method And Material For Brightening Teeth	Mar. 16, 1993
5,009,885 to Yarborough	Method Of Protecting The Mucous Membranes Of The Mouth While Treating Teeth	Apr. 23, 1991
5,032,178 to Cornell	Dental Composition And Method For Bleaching Teeth	Jul. 16, 1991
5,098,303 to Fischer	Method For Bleaching Teeth	Mar. 24, 1992
5,171,564 to Nathoo et al.	Aqueous Tooth Whitening Dentifrice	Dec. 15, 1992
5,234,342 to Fischer	Sustained Release Method For Treating Teeth Surfaces	Aug. 10, 1993
5,240,415 to Haynie	Dental Bleach System Having Separately Compartmented Fumed Silica And Hydrogen Peroxide And Method Of Using	Aug. 31, 1993
5,279,816 to Church et al.	Oral Composition Having Improved Tooth Whitening Effect	Jan. 18, 1994

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<u>PATENT NO.</u>	<u>TITLE</u>	<u>ISSUE DATE</u>
5,302,375 to Viscio	Oral Composition Having Improved Tooth Whitening Effect	Apr. 12, 1994
5,376,006 to Fischer	Dental Bleaching Compositions And Methods For Bleaching Teeth Surfaces	Dec. 27, 1994
5,401,495 to Murayama	Teeth Whitener	Mar. 28, 1995
5,409,631 to Fischer	Dental Bleaching Compositions And Methods For Bleaching Teeth Surfaces	Apr. 25, 1995
5,425,953 to Sintov	Polymer Composition For Tooth Bleaching And Other Dental Uses Thereof	Jun. 20, 1995
5,531,915 to Perkins	Detergent Compositions Containing Ethylenediamine-N, N'-Diglutaric Acid Or 2-Hydroxypropylenediamine-N, N'-Disuccinic Acid	Jul. 2, 1996
5,599,525 to Hsu et al.	Stabilized Dentifrice Compositions Containing Reactive Ingredients	Feb. 4, 1997
5,645,428 to Yarborough	Method For Whitening Teeth	Jul. 8, 1997
5,676,933 to Hauschild	Stable Sodium Percarbonate Formulation	Oct. 14, 1997
5,690,913 to Hsu et al.	Multilayer Bicarbonate/Peroxide Dentifrice	Nov. 25, 1997
5,713,738 to Yarborough	Method For Whitening Teeth	Feb. 3, 1998

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<u>PATENT NO.</u>	<u>TITLE</u>	<u>ISSUE DATE</u>
5,718,886 to Pellico	Stabilized Anhydrous Tooth Whitening Gel	Feb. 17, 1998
5,725,843 to Fischer	Methods For Bleaching Teeth Surfaces	Mar. 10, 1998
5,746,598 to Fischer	Dental Bleaching Compositions Including A Sticky Matrix Material	May 5, 1998
5,766,011 to Sibner	Dental Bleaching Composition And Method	Jun. 16, 1998
5,770,105 to Fischer	Methods For Manufacturing Sticky Bleaching Compositions	Jun. 23, 1998
5,770,182 to Fischer	Methods For Treating Teeth With Anticariogenic And Antimicrobial Dental Compositions	Jun. 23, 1998
5,785,527 to Jensen et al.	Stable Light Or Heat Activated Dental Bleaching Compositions	Jul. 28, 1998
5,858,332 to Jensen et al.	Dental Bleaching Compositions with High Concentrations of Hydrogen Peroxide	Jan. 12, 1999
4,256,730 to Benedict	Oral Compositions	March 17, 1981
4,971,782 to Rudy et al.	Periodontal Composition and Method	November 20, 1990
5,256,402 to Prencipe et al.	Abrasive Tooth Whitening Dentifrice of Improved Stability	October 26, 1993

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<u>PATENT NO.</u>	<u>TITLE</u>	<u>ISSUE DATE</u>
5,816,802 to Montgomery	Flexible Dental Tray	October 6, 1998

### II. FOREIGN DOCUMENTS

<u>DOCUMENT NO.</u>	<u>TITLE</u>	<u>PUBLICATION DATE</u>
WO 91/14650 to Dan E. Fischer	Dental Compositions and Methods for Treating Teeth Surfaces	October 3, 1991
WO 98/04235 to Montgomery	Chlorine Dioxide Tooth Whitening Compositions	February 5, 1997
WO 97/11676 to Montgomery	Tooth Bleaching Compositions	April 3, 1997
98/58595 to Rizoiu	Electromagnetic Radiation Emitting Toothbrush and Dentrifrice System	December 30, 1998

### III. OTHER PATENT DOCUMENTS

Goldstein *et al.*, eds., *Complete Dental Bleaching*, Ch. 4, Quintessence Publishing Co., Inc., Chicago (1995).

Montgomery *et al.*, "Photoinduced Stain Removal in Bovine Enamel," *Journal of Dental Research*, 78: Abstract # 1158 (1999).

"Opalescence® Xtra™ Whitening Gel & OpalDam™ Reflective, Resin Barrier," *Ultradent Promotional Catalog*, Ultradent Products, Inc., pp. 1-4, Utah (1998).

"Operating Instructions Illuminator," *Union Broach Operator's Manual*, Union Broach, A Health-Chem Company, pp. 1-15.

*Clinical Research Associates Newsletter*, Volume 16, Issue 3, ( March 1992).

*The Dental Advisor Plus*, Volume No. 1, (Jan./Feb1996).

C. G. Toh, "Clinical Evaluation of a Dual-Activated Bleaching System"; *Asian J. Aesthet. Dent.*, 1: 65-70, (1993).

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“QuasarBrite™, CONTRAST A.M.®, Laser Whitening Gel,” *Instructions for Use Manual*, Interdent, Inc. (Los Angeles, CA).

“QuasarBrite™, CONTRAST P.M.®, Laser Whitening Gel,” *Instructions for Use Manual*, Interdent, Inc. (Los Angeles, CA).

“Shofu®, HiLite® Dual-Activated Bleaching System,” *Instruction Manual*, Shofu Dental Corporation (Menlo Park, CA).

Van der Zee *et al.*, “Hydroxyl Radical Generation By A Light-Dependent Fenton Reaction,” *Free Radical Biology & Medicine*, Volume 14, pp.105-113 (1993)

“Hydrogen Peroxide” in *Kirk-Othmer Encyclopedia of Chemical Technology*, 4<sup>th</sup> Edition, Vol. 13, pp. 961-965, 983 (1995).

The U.S. Patents, foreign documents, and other documents are also listed on Applicants' PTO-1449 Form which is enclosed for the convenience of The Examiner. Items marked with an asterisk are already of record in parent application 09/234,038 and, pursuant to 37 CFR § 1.98(d), are not enclosed.

No fees are believed to be due. However, please charge account no. 11-0171 for any fee determined to be necessary. If there are any questions or comments relating to the present application, The Examiner is respectfully invited to contact Applicants' attorney at the telephone number set forth below.

Respectfully submitted,



Franklin S. Abrams  
Registration No.: 43,457  
Attorney for Applicants